

Introduced by Senator Denham

February 9, 2009

An act relating to the King City Joint Union High School District, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 130, as introduced, Denham. King City Joint Union High School District.

(1) Existing law provides for emergency apportionments to school districts subject to specified conditions including, in certain circumstances, the repayment of an emergency loan over a period of no more than 10 years and the appointment by the Superintendent of Public Instruction of an administrator who would exercise the powers and responsibilities of the governing board of the school district.

This bill would require the Superintendent of Public Instruction to assume all the rights, duties, and powers of the governing board of the King City Joint Union High School District and to appoint, in consultation with the Monterey County Superintendent of Schools, an administrator to act on behalf of the Superintendent of Public Instruction in exercising the superintendent's authority over the school district. The bill would require the administrator to be deemed an employee of the school district for certain purposes.

The bill would require the governing board of the school district to serve as an advisory body reporting to the administrator and prohibit its members from receiving any compensation during the period of the superintendent's authority over the district. The bill would authorize the administrator to terminate the employment of certain district personnel, as provided. The bill would authorize the administrator, with

the approval of the superintendent, to enter into agreements on behalf of the district and to change any existing district rules, regulations, policies, or practices, as provided.

The bill would continue the authority of the superintendent and the administrator over the school district until certain enumerated conditions are met, including the completion of assessment and improvement plans for the school district.

The bill would require the administrator to consider, on a monthly basis or more frequently if desired, information from one or more specified groups. The bill would require the County Office Fiscal Crisis and Management Assistance Team (FCMAT) to prepare, by November 1, 2009, an improvement plan for the school district. The bill would require the FCMAT, commencing 30 days following the effective date of this bill and in January 2010 and at least every 6 months thereafter, to file a status report with specified persons on progress made by the district in implementing the plan.

The bill would require the school district to bear 100% of all costs associated with implementing its provisions, thereby imposing a state-mandated local program.

The bill would appropriate \$10,000,000 from the General Fund to the Superintendent of Public Instruction for apportionment as an emergency loan to the King City Joint Union High School District, and specify procedures for repayment of the loan. The bill would authorize the school district to sell property owned by the district and use the proceeds from the sale to reduce or retire the emergency loan, and would prohibit the district from being eligible for financial hardship assistance under the Leroy F. Greene School Facilities Act of 1998.

(2) This bill would make a legislative finding and declaration that the unique circumstances of the King City Joint Union High School District warrant the enactment of a special statute.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Providing a quality education that meets the unique needs
4 of King City public school pupils is a fundamental goal that should
5 not be jeopardized.

6 (b) On December 4, 2007, the Monterey County Office of
7 Education declared the King City Joint Union High School District
8 a “lack of going concern” and appointed a fiscal advisor to monitor
9 the operations of the district.

10 (c) The budget analysis conducted by the county office indicates
11 that the district is deficit spending, is unable to maintain its reserve
12 for economic uncertainty, and will have a negative fund balance
13 for at least the current and two subsequent fiscal years.

14 (d) The district is facing a fiscal and cash insolvency as a result
15 of organizational decisionmaking and the loss of an appeal for a
16 recent Public Employee Relations Board (PERB) ruling that
17 resulted in increased employee compensation costs and continued
18 deficit spending.

19 (e) The district is declining in enrollment, which is further
20 exacerbating its fiscal circumstances.

21 (f) The King City Joint Union High School District is projected
22 to run out of cash to support its routine operations and expenditures
23 by March 2009, and it will require an emergency appropriation
24 from the state in order to continue the delivery of educational
25 services to pupils enrolled in the district.

26 SEC. 2. (a) It is the intent of the Legislature that the state
27 administrator appointed pursuant to this act work with the staff
28 and governing board of the King City Joint Union High School
29 District to identify the procedures and programs that the district
30 will implement during the 2008–09 school year and future school
31 years that do all of the following:

- 32 (1) Significantly raise pupil achievement.
33 (2) Improve pupil attendance.
34 (3) Lower pupil dropout rate.
35 (4) Increase parental involvement.
36 (5) Attract, retain, and train a quality teaching staff.
37 (6) Manage fiscal expenditures in a manner that is consistent
38 with the current and projected revenues of the district.

(b) It is the intent of the Legislature that these identified procedures and programs be analyzed by the state administrator and, where applicable and appropriate, be protected, maintained, and expanded as the budget of the district allows. The state administrator shall report any findings applicable to this section to the Superintendent of Public Instruction and the education committees of the Legislature.

SEC. 3. The Legislature finds and declares that, because of the fiscal emergency in which the King City Joint Union High School District finds itself, it is necessary that the Superintendent of Public Instruction assume control of the district in order to ensure the return to the district of fiscal solvency. For this section, fiscal solvency shall be defined, at a minimum, as follows:

(a) The county superintendent finds that the district, in any given fiscal year after receipt of the state loan and for at least two subsequent years, demonstrates that revenues exceed expenditures in the district's general fund unrestricted budget.

(b) The county superintendent finds that district is able to maintain the minimum reserve for economic uncertainty for three consecutive years.

(c) The county superintendent determines that the district's general fund unrestricted fund balance is positive and has the potential to increase for three consecutive years.

(d) The county superintendent, after the application of a variety of criteria, finds that the district certification is at least qualified.

SEC. 4. (a) The Superintendent of Public Instruction shall immediately assume all of the rights, duties, and powers of the governing board of the King City Joint Union High School District.

(b) The Superintendent of Public Instruction, in consultation with the Monterey County Superintendent of Schools, shall appoint an administrator to act on behalf of the Superintendent of Public Instruction in exercising the authority described in this act. The Superintendent of Public Instruction or the state-appointed administrator may, on a short-term basis, employ at district expense any staff necessary to assist the administrator, including, but not necessarily limited to, a certified public accountant. The administrator shall have recognized expertise in management and finance. The administrator shall serve under the direction and supervision of the Superintendent of Public Instruction until terminated by the Superintendent of Public Instruction at his or

1 her discretion. The Superintendent of Public Instruction shall
2 consult with the Monterey County Superintendent of Schools
3 before terminating or replacing the administrator. The
4 Superintendent of Public Instruction, operating through the
5 administrator, may do all of the following:

6 (1) Implement substantial changes in the fiscal policies and
7 practices of the King City Joint Union High School District,
8 including, if necessary, the filing of a petition under Chapter 9 of
9 the federal Bankruptcy Act (11 U.S.C. Sec. 901 et seq.) for the
10 adjustment of indebtedness of the district.

11 (2) Revise the educational program of the King City Joint Union
12 High School District to reflect realistic revenue projections, in
13 response to the dramatic effect of the changes in fiscal policies
14 and practices upon educational program quality and the potential
15 for the success of all pupils. To the extent allowed by district
16 finances, it is the intent of the Legislature that the revised program
17 maintain the core educational reforms that have led to districtwide
18 improvement of academic achievement, including, but not
19 necessarily limited to, educational reforms targeting
20 underperforming and Program Improvement schools and other
21 reforms that have demonstrated measurable success.

22 (3) Encourage all members of the school community to accept
23 a fair share of the burden of the fiscal recovery of the King City
24 Joint Union High School District.

25 (4) Consult, for the purposes described in this act, with the
26 governing board of the King City Joint Union High School District,
27 the exclusive representatives of the employees of the district,
28 parents, and the community.

29 (5) Consider for purposes of efficiency and cost containment
30 an analysis of the unification of the King City Joint Union High
31 School District with the King City Elementary School District,
32 any other school district located within the general high school
33 attendance area, or both.

34 SEC. 5. (a) (1) To facilitate the appointment of the
35 state-appointed administrator and the employment of any necessary
36 staff, for the purposes of this act, the Superintendent of Public
37 Instruction is exempt from the requirements of Article 6
38 (commencing with Section 999) of Chapter 6 of Division 4 of the
39 Military and Veterans Code and Part 2 (commencing with Section
40 10100) of the Public Contract Code.

1 (2) The Superintendent of Public Instruction shall establish
2 salary and benefits of the administrator, which shall be paid by the
3 King City Joint Union High School District.

4 (3) During the tenure of his or her appointment, the
5 administrator, if otherwise an employee of the state or of the county
6 superintendent, is an employee of the school district, but shall
7 remain in the same retirement system under the same plan that is
8 provided by his or her employment with the state or the office of
9 the county superintendent. Upon the expiration or termination of
10 the appointment, the administrator shall have the right to return to
11 his or her former position, or to a position at substantially the same
12 level as that position, if that former position was with the state or
13 the office of the county superintendent. The time served in the
14 appointment shall be counted for all purposes as if the administrator
15 had served that time in his or her former position with the state or
16 with the office of the county superintendent.

17 (b) For the period of time during which the Superintendent of
18 Public Instruction exercises the authority described in subdivision
19 (a) of Section 4, the governing board of the King City Joint Union
20 High School District shall serve as an advisory body reporting to
21 the administrator, but has no rights, duties, or powers, and is not
22 entitled to nor shall it receive any stipend, benefits, or other
23 compensation from the district.

24 (c) Upon appointment of the state administrator, the district
25 superintendent of schools is no longer an employee of the district.

26 (d) Notwithstanding any other provision of law, the
27 administrator may, after according the employee reasonable notice
28 and opportunity for hearing, terminate the employment of any
29 deputy, associate, or assistant superintendent of schools, or other
30 person employed in an equivalent capacity, whose duties include
31 overseeing, managing, or otherwise directing the fiscal and
32 budgetary operations of the King City Joint Union High School
33 District, and who is employed by the King City Joint Union High
34 School District under a contract of employment renewed after the
35 effective date of this act if the employee fails to document, to the
36 satisfaction of the administrator, that before the effective date of
37 this act he or she either advised the governing board of the district,
38 or his or her superior, that actions contemplated or taken by the
39 governing board could result in the fiscal insolvency of the district
40 or took other appropriate action to avert that fiscal insolvency.

1 (e) With the approval of the Superintendent of Public Instruction,
2 the administrator may enter into agreements on behalf of the school
3 district and, subject to any contractual and statutory obligation of
4 the school district, change any existing school district rules,
5 regulations, policies, or practices as necessary for the effective
6 implementation of the improvement plan specified in Section 7 of
7 this act.

8 (f) (1) For the fiscal year in which the apportionments are
9 disbursed and for each fiscal year thereafter, the County Office
10 Fiscal Crisis and Management Assistance Team (FCMAT) shall
11 serve as the independent fiscal advisor to the state administrator
12 as defined in paragraph (5) of subdivision (e) of Section 42127.6
13 of the Education Code. The fiscal advisor shall do all of the
14 following:

15 (A) Assist the state administrator in the development of the
16 multiyear financial recovery plan.

17 (B) Develop and consistently update an independent multiyear
18 financial projection of the district's budget.

19 (C) Consult with the state administrator regarding any draw
20 against the funds contained in the emergency appropriation.

21 (D) Independently report on the fiscal health of the district at
22 an interval that is consistent with the 1st and 2nd Interim Reporting
23 periods as established in the Education Code.

24 (2) The costs of the advisor shall be paid by the district to the
25 extent that the advisor's costs exceed the amount appropriated for
26 the FCMAT pursuant to schedule (9) of Item 6110-485 of Section
27 2.00 of the annual Budget Act. The fiscal advisor shall remain in
28 place until the fiscal solvency of the district has been achieved
29 pursuant to the criteria identified in subdivisions (a) to (d),
30 inclusive, of Section 3 of this act.

31 (g) The authority of the Superintendent of Public Instruction
32 and the administrator pursuant to this act shall continue until all
33 of the following conditions occur:

34 (1) Two complete fiscal years have elapsed following the
35 appointment of the administrator or, at any time after one complete
36 fiscal year has elapsed following that appointment, if the
37 administrator determines, and so notifies the Superintendent of
38 Public Instruction, that future compliance by the King City Joint
39 Union High School District with the improvement plan specified
40 in Section 7 of this act is probable.

1 (2) The FCMAT completes the improvement plan specified in
2 Section 7 of this act.

3 (3) The FCMAT, after consultation with the administrator,
4 determines that for at least the immediately previous six months
5 the school district made substantial and sustained progress in
6 implementation of the plans in the major functional area.

7 (4) The administrator certifies that all necessary collective
8 bargaining agreements have been negotiated and ratified and that
9 the agreements are consistent with the terms of the improvement
10 plan specified in Section 7 of this act.

11 (5) The district completes all reports required by the
12 Superintendent of Public Instruction and the administrator.

13 (6) The administrator certifies that the members of the school
14 board and district personnel, as appropriate, have successfully
15 completed the training specified in subdivision (b) of Section 7 of
16 this act.

17 (7) The Superintendent of Public Instruction concurs with the
18 assessment of the administrator and the FCMAT that future
19 compliance by the King City Joint Union High School District
20 with the improvement plan described in Section 7 of this act and
21 the multiyear financial recovery plan described in paragraph (2)
22 of subdivision (a) of Section 41327 of the Education Code is
23 probable.

24 (h) If all of the conditions specified in subdivision (e) occur,
25 the governing board of the King City Joint Union High School
26 District shall regain all of its rights, duties, and powers.

27 (i) Notwithstanding subdivision (f), if the King City Joint Union
28 High School District violates any provision of the improvement
29 plan specified in Section 7 of this act, after the governing board
30 of the school district regains all of its rights, duties, and powers
31 pursuant to subdivision (f), the Superintendent of Public Instruction
32 may reassume, in accordance with this section, all of the rights,
33 duties, and powers of the governing board of the school district.
34 The Superintendent of Public Instruction shall subsequently return
35 to the governing board of the school district all of its rights, duties,
36 and powers reassumed under this subdivision if he or she
37 determines that the conditions of subdivision (e) are satisfied.

38 (j) For the purposes of Article 2 (commencing with Section
39 41320) and Article 2.5 (commencing with Section 41325) of
40 Chapter 3 of Part 24 of the Education Code, the administrator is

1 a public school employer within the meaning of the Educational
2 Employment Relations Act (Chapter 10.7 (commencing with
3 Section 3540) of Division 4 of Title 1 of the Government Code).

4 SEC. 6. (a) The administrator shall consider, on a monthly
5 basis, or more frequently if so desired by the administrator,
6 information from one or more groups from each of the following
7 categories:

- 8 (1) The governing board of the school district.
- 9 (2) Any advisory council of the school district.
- 10 (3) Any parent-teacher organization of the school district.
- 11 (4) Representatives from the community in which the school
12 district is located.

13 (5) The County Office Fiscal Crisis and Management Assistance
14 Team.

15 (b) The state appointed administrator shall prepare or obtain the
16 following reports and plans:

- 17 (1) A management review and recovery plan.
- 18 (2) A multiyear financial recovery plan. The multiyear financial
19 recovery plan shall include the development of an initial plan not
20 later than six months after the district's receipt of any proceeds
21 from the emergency appropriation. The multiyear financial
22 recovery plan shall include a plan, updated and submitted thereafter
23 annually on or before July 1, to repay to the state any and all loans
24 owed by the district.

25 SEC. 7. (a) On or before November 1, 2009, the County Office
26 Fiscal Crisis and Management Assistance Team (FCMAT) shall
27 conduct a comprehensive assessment and prepare an improvement
28 plan for the King City Joint Union High School District
29 incorporating the following five operational areas:

- 30 (1) Financial management.
- 31 (2) Pupil achievement.
- 32 (3) Personnel management.
- 33 (4) Facilities management.
- 34 (5) Community relations.

35 (b) The Superintendent of Public Instruction may consider the
36 comprehensive assessment conducted by the FCMAT to meet the
37 requirement for the management review and recovery plan
38 identified in paragraph (1) of subdivision (b) of Section 6 of this
39 act.

1 (c) The improvement plan for personnel management specified
2 in paragraph (3) of subdivision (a) shall include, but not be limited
3 to, the following training:

4 (1) Training for members of the governing board of the school
5 district in the subjects about which members of the governing
6 board need to have knowledge to effectively discharge their duties
7 as board members, with specific training in the fiduciary
8 responsibilities of a governing board member and in the financial
9 management practices necessary for governing board members to
10 effectively discharge their duty to oversee and monitor the budget,
11 accounting practices, revenues, and expenditures of the school
12 district. At a minimum, each board member shall participate in the
13 Masters In Governance training provided by the California School
14 Boards Association. The cost for this training shall be borne by
15 the district.

16 (2) Training for the superintendent of the school district and all
17 personnel with management, policymaking, and advisory
18 responsibilities who report or would report directly to the
19 superintendent, to ensure they have the knowledge and skills to
20 effectively administer their areas of responsibility consistent with
21 sound fiscal practices and the budgetary requirements of the school
22 district.

23 (d) Based upon progress reports prepared pursuant to subdivision
24 (c), the FCMAT shall recommend to the Superintendent of Public
25 Instruction those designated functional areas of school district
26 operation that it determines are appropriate for the governing board
27 of the school district to assume.

28 (e) Commencing 30 days following the effective date of this
29 act and in January 2010, and each six months thereafter until
30 January 2011, the FCMAT shall file a written status report with
31 the appropriate fiscal and policy committees of the Legislature,
32 including any special committees created for the purpose of
33 reviewing the reports, and with the Members of the Legislature
34 who represent the King City Joint Union High School District, the
35 advisory board of the school district, the Superintendent of Public
36 Instruction, the Director of Finance, and the Secretary for
37 Education. The reports shall include an updated multiyear financial
38 projection and analysis of the progress that the King City Joint
39 Union High School District is making in meeting the

1 recommendations of the improvement plan developed pursuant to
2 this section.

3 SEC. 8. (a) The King City Joint Union High School District
4 shall bear 100 percent of all costs associated with implementing
5 this act.

6 (b) The King City Joint Union High School District shall add
7 the administrator as a covered employee of the school district for
8 all purposes of errors and omissions liability insurance policies.

9 SEC. 9. (a) The sum of ten million dollars (\$10,000,000) is
10 hereby appropriated from the General Fund to the Superintendent
11 of Public Instruction for apportionment to the King City Joint
12 Union High School District for the purpose of an emergency loan.
13 In order to qualify for the loan, the district shall comply with
14 Article 2 (commencing with Section 41320) and Article 2.5
15 (commencing with Section 41325) of Chapter 3 of Part 24 of the
16 Education Code to the extent those provisions are consistent with
17 the conditions specified in this act.

18 (b) Funds may be disbursed from the proceeds of the loan only
19 if the administrator and the County Office Fiscal Crisis and
20 Management Assistance Team jointly determine that the
21 disbursement is necessary to support the immediate cash flow
22 needs of the district.

23 (c) Based on the needs of the district to meet its obligations, the
24 Superintendent of Public Instruction may direct the Controller to
25 disburse, on a monthly basis, specific amounts of the emergency
26 loan before the approval of all of the conditions established by this
27 act.

28 (d) For the fiscal year in which the loan moneys are disbursed
29 and each fiscal year thereafter, the county superintendent of schools
30 shall cause an audit to be conducted of the books and accounts of
31 the district, that is consistent with the audit required by Section
32 41020 of the Education Code. At the discretion of the county
33 superintendent, the audit may be conducted by the Controller, or
34 an auditor selected by the county superintendent and approved by
35 the Controller. The costs of the audit shall be paid by the district.
36 The audits shall be performed until the Superintendent of Public
37 Instruction, in consultation with the county superintendent,
38 determines that the district is financially solvent, but may not cease
39 being performed earlier than one year following the implementation

1 of the plan required by Section 7 nor later than the time the
2 emergency loan, including interest, is repaid.

3 SEC. 10. (a) Notwithstanding subparagraph (A) of paragraph
4 (2) of subdivision (a) of Section 41327 of the Education Code, the
5 King City Joint Union High School District shall repay the
6 emergency loan incurred pursuant to Section 9 of this act as a
7 straight line loan amortized over a 20-year term. This amount shall
8 be repaid by the district, plus interest calculated at a rate equal to
9 the rate earned by the Pooled Money Investment Account on the
10 date this act becomes effective, for a period not to exceed 20 years.

11 (b) If a required payment is not made within 60 days after a
12 scheduled date, the Controller shall pay the defaulted loan payment
13 of principal and interest by withholding that amount from the next
14 available payment that would otherwise be made to the county
15 treasurer on behalf of the district pursuant to Section 14041 of the
16 Education Code. However, subject to the approval of the
17 Department of Finance, the amount withheld may be in monthly
18 amounts as determined by an agreement between the King City
19 Joint Union High School District and the Controller during the
20 period beginning with the next available apportionment through
21 the month preceding the next scheduled payment.

22 (c) The school district shall enter into a lease financing with the
23 California Infrastructure and Economic Development Bank for
24 the purpose of financing the emergency apportionment, including
25 a repayment to the General Fund of the amount advanced pursuant
26 to Section 9. In addition to the emergency apportionment, the lease
27 financing may include funds necessary for reserves, capitalized
28 interest, credit enhancements and costs of issuance. The bank shall
29 issue bonds for that purpose pursuant to the powers granted
30 pursuant to the Bergeson-Peace Infrastructure and Economic
31 Development Bank Act as set forth in Division 1 (commencing
32 with Section 63000) of Part 6.7 of the Government Code. The term
33 of the lease shall not exceed 20 years, except that if at the end of
34 the lease term any rent payable is not fully paid, or if the rent
35 payable has been abated, the term of the lease shall be extended
36 for a period not to exceed 10 years.

37 (d) The Director of Finance may amend the payment schedule
38 set forth in subdivision (a) if the director concludes that the
39 amendment is warranted and is in the best interests of both the
40 state and the King City Joint Union High School District education

1 program. Upon that determination, the director shall notify the
2 Joint Legislative Budget Committee that the payment scheduled
3 will be changed on the date that is 90 days from the date of
4 notification if the Legislature is in session. If the 90-day period
5 ends during a recess of the Legislature or while the Legislature is
6 not in session, the 90-day period shall be extended until the
7 Legislature reconvenes. Amendments to the payment schedule
8 shall defer the unpaid portion of a repayment of the earliest fiscal
9 year in which no other repayment is scheduled. Interest shall accrue
10 on the unpaid portion of a repayment from the scheduled due date
11 until the time the payment is actually made. The interest charge
12 shall be the rate equal to the daily investment rate of the Pooled
13 Money Investment Account on the date the pay schedule is
14 changed.

15 (e) The school district may repay its loan obligation without
16 incurring any prepayment penalties.

17 SEC. 11. (a) Notwithstanding Sections 17456, 17457, 17462,
18 and 17463 of the Education Code, or any other law, from June 1,
19 2009, to June 30, 2012, inclusive, the King City Joint Union High
20 School District may sell property owned by the district and use
21 the proceeds from the sale to reduce or retire the emergency loan
22 provided in Section 9 of this act. The sale only of property pursuant
23 to this subdivision is not subject to Section 17459 or 17464 of the
24 Education Code.

25 (b) Notwithstanding any other provision of law, from June 1,
26 2009, to June 30, 2011, inclusive, the King City Joint Union High
27 School District is not eligible for financial hardship assistance
28 pursuant to Article 8 (commencing with Section 17075.10) of
29 Chapter 12.5 of Part 10 of Division 1 of Title 1 of the Education
30 Code.

31 SEC. 12. The Monterey County Superintendent of Schools
32 maintains the responsibility to superintend school districts under
33 its jurisdiction. This act does not remove any statutory or regulatory
34 rights, duties, or obligations from the county superintendent of
35 schools.

36 SEC. 13. The Legislature finds and declares that due to unique
37 circumstances relating to the fiscal emergency in the King City
38 Joint Union High School District a general statute cannot be made
39 applicable within the meaning of Section 16 of Article IV of the
40 California Constitution.

1 SEC. 14. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 the only costs that may be incurred by a local agency or school
4 district are the result of a program for which legislative authority
5 was requested by that local agency or school district, within the
6 meaning of Section 17556 of the Government Code and Section
7 6 of Article XIII B of the California Constitution.

8 SEC. 15. This act is an urgency statute necessary for the
9 immediate preservation of the public peace, health, or safety within
10 the meaning of Article IV of the Constitution and shall go into
11 immediate effect. The facts constituting the necessity are:

12 In order to address the fiscal emergency in which the King City
13 Joint Union High School District finds itself, and to ensure that it
14 meets its cash obligations for this fiscal year, it is necessary that
15 this act take effect immediately.